

**Certification of Compliance  
With Federal Laws and Authorities  
{Projects NOT Applying for American Reinvestment  
and Recovery Act of 2009 (ARRA) Funding}**

**Environmental Authorities**

1. Archeological and Historical Preservation Act of 1974, Pub. L. 86-523, as amended, Pub. L. 93-291 16 USC § 469a-1.
2. Clean Water Act, Titles III, IV and V, Pub. L. 92-500, as amended.
3. Clean Air Act, Pub. L. 84-159, as amended.
4. Coastal Barrier Resources Act, Pub. L. 97-348, 96 Stat. 1653; 16 USC § 3501 et seq.
5. Coastal Zone Management Act, Pub. L. 92-583, as amended; 16 USC § 1451 et seq.
6. National Environmental Policy Act, Pub. L. 91-190
7. Endangered Species Act, Pub. L. 93-205, as amended; 16 USC § 1531 et seq.
8. Environmental Justice, Executive Order 12898.
9. Floodplain Management, Executive Order, 11988 as amended by Executive Order 12148.
10. Protection of Wetlands, Executive Order 11990, as amended by Executive Order No. 12608.
11. Farmland Protection Policy Act, Pub. L. 97-98; 7 USC § 4201 et seq.
12. Fish and Wildlife Coordination Act, Pub. L. 85-624, as amended.
13. National Historic Preservation Act of 1966, Pub. L. 89-665, as amended, 80 Stat. 917 (1966) 16 USC § 470 et seq.
14. Safe Drinking Water Act, Pub. L. 93-523, as amended; 42 USC § 300f et seq.
15. Wild and Scenic Rivers Act, Pub. L. 90-542, as amended, 82 Stat. 913; 16 USC § 1271 et seq.
16. Essential Fish Habitat Consultation. Pub. L. 94-265, as amended, 16 USC § 1801 et seq.
17. Recycled Materials. Executive Order 13101; Section 6002 Resource Conservation and Recovery Act – 42 USC § 6962.

**Economic and Miscellaneous Authorities**

1. Demonstration Cities and Metropolitan Development Act of 1966, Pub. L. 89-754, as amended, Executive Order 12372/ 42 USC § 3331 et seq.
2. Procurement Prohibitions under Section 306 of the Clean Air Act and Section 508 of the Clean Water Act, including Executive Order 11738, Administration of the Clean Air Act and the Federal Water Pollution Control Act with Respect to Federal Contracts, Grants, or Loans; 42 USC § 7606; 33 USC § 1368; 40 CFR Part 31.
3. Uniform Relocation and Real Property Acquisition Policies Act, Pub. L. 91-646, as amended; 42 USC §§4601-4655

4. Contractors, Subcontractors, Debarment and Suspension, Executive Order 12549; 2 CFR Part 1532. The Excluded Parties List System can be found at <http://www.epls.gov>.
5. Drug-Free Workplace Act, Pub. L. 100-690.
6. New Restrictions on Lobbying, Section 319 of Pub. L. 101-121.
7. Preservation of Open Competition and Government Neutrality Towards Government Contractors' Labor Relations on Federal and Federally Funded Construction Projects, EO 13202, as amended by EO 13208.
8. Hotel and Motel Fire Safety Act of 1990 (PL 101-391, as amended). Recipients may search <http://www.usfa.dhs.gov/applications/hotel/>.
9. Records and financial reporting (40 CFR Part 31).
10. Copyright: 40 CFR Part 31.

#### **Social Policy Authorities**

1. Age Discrimination Act of 1975, Pub. L. 94-135; 42 USC § 6102.
2. Race Discrimination: Title VI of the Civil Rights Act of 1964, Pub. L. 88-352.1; 42 USC § 2000d, 40 CFR Part 7.
3. Sex Discrimination: Section 13 of the Federal Water Pollution Control Act Amendments of 1972, Pub. L. 92-500 (the Clean Water Act); 33 USC § 1251, 40 CFR Part 7.
4. Disability Discrimination: Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (including Executive Orders 11914 and 11250); 29 USC § 794, 40 CFR Part 7.
5. Equal Employment Opportunity, Executive Order 11246.
6. Participation of Disadvantaged Business Enterprises in Procurement under Environmental Protection Agency (EPA) Financial Assistance Agreements.
7. Section 129 of the Small Business Administration Reauthorization and Amendment Act of 1988, Pub. L. 100-590.
8. Anti-Lobbying Provisions (40 CFR Part 34). Borrower agrees to submit certification and disclosure forms as requested by the State Water Resources Control Board or the USEPA.
9. Anti-Litigation Provisions (2 CFR 220, 225, or 230).

#### **CERTIFICATION**

I certify that \_\_\_\_\_  
(Municipality)  
has, or will, comply with the above list of federal laws and authorities.

\_\_\_\_\_  
Name and Signature of Authorized  
Representative or Designee

\_\_\_\_\_  
Date

**Certification of Compliance  
With Federal Laws and Authorities -  
{Projects Applying for American Reinvestment and  
Recovery Act of 2009 (ARRA) Funding}**

**American Reinvestment and Recovery Act of 2009 Requirements**

1. Timeline Absolute: The Recipient understands that, should the Recipient fail to start construction prior to the date specified in its financing agreement, repayment of any and all Project Funds disbursed to the Recipient will be due and payable immediately.
2. Buy American: Unless the Recipient has obtained a waiver from USEPA on file with the State Water Board, the Recipient shall not use Project Funds to purchase iron, steel, and manufactured goods produced outside of the United States. Unless the Recipient has obtained a waiver from USEPA on file with the State Water Board, the Recipient hereby certifies that all iron, steel, and manufactured goods used in the Project were produced in the United States.
3. Waste, Fraud, & Abuse: The Recipient shall prevent fraud, waste, and the abuse of Project Funds.
4. Whistleblower Rights Notice. The Recipient shall post notice of the rights and remedies provided to state and local government and contractor whistleblowers as set forth in Section 1553 of ARRA and shall ensure that its contractors and subcontractors on the Project post such notices.
5. Reports: In addition to the reports specified in this Agreement, the Recipient may be asked for weekly reports related to the goals of ARRA, including jobs created or saved or other information. The Recipient agrees to provide such reports in an expeditious fashion.
6. Land or Easement Acquisition: The Recipient shall not use Project Funds for the purchase of land, easements, or interests in land.
7. The Recipient shall pay at least federal and/or state prevailing wages.

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I certify that \_\_\_\_\_  
(Municipality)  
has, or will, comply with the above list of federal laws and authorities.

\_\_\_\_\_  
Name and Signature of Authorized  
Representative or Designee

\_\_\_\_\_  
Date

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